attached to a rigid flat plate during lamination of one or more of the first electrode layer, the EL layer, the second electrode layer and the flexible sealing layer to the flexible base layer; the flexible base layer is removed from the rigid flat plate prior to completion of the method; and the flexible base layer comprises a thin glass sheet and a protective plastic sheet, and has sufficient flexibility to be freely rolled and/or curved" (emphasis added).

It is undisputed that Tang fails to disclose a flexible base layer comprising a thin glass sheet and a protective plastic sheet, having sufficient flexibility to be freely rolled and/or curved. The Office Action asserts that Cloots discloses a method of manufacturing a flexible substrate for a light emitting display panel, comprising a glass layer and a polymeric support layer to obtain a flexible substrate having low specific weight and mechanical flexibility, that can be wound or curved as required. The Office Action asserts that it would have been obvious to incorporate the flexible substrate laminate disclosed by Cloots in the method of Tang. The Applicants respectfully disagree.

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *See, e.g., In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). It is improper to combine references where the references teach away from their combination. *See* MPEP §2145 (citing *In re Grasselli*, 713 F.2d 731, 743 (Fed. Cir. 1983)). Each of Tang and Cloots teaches away from the combination proposed by the Office Action.

Tang discloses a process for manufacturing an organic LED array on an ultra thin transparent substrate. *See, e.g.,* column 1, line 44 to column 2, line 23. Tang discusses the need to have the substrate be as thin as possible in order to minimize the distance between the image formed by the LED array and the photosensitive receptors of a photographic material; this results in excellent optical coupling and obviates the need for a projection element such as a lens. *See, e.g.,* column 1, lines 34 to 39; column 2, lines 28 to 33. To obtain such results,

the ultra thin substrate is formed from commercially available glass from, e.g., Schott Glass Corporation and other vendors. *See* column 3, lines 29 to 33. Cloots discloses employing a thin commercially available borosilicate glass from, e.g., a Schott Group company. *See, e.g.,* paragraph [0014]. However, in Cloots, a support layer is permanently attached to the glass layer to form a flexible laminate. *See, e.g.,* paragraphs [0009–0012]. That is, Cloots discloses taking a glass layer, such as disclosed in Tang, and adding a support layer. Accordingly, Cloots suggests a thicker substrate than is taught by Tang.

As previously discussed, the intention of Tang is to have a base substrate that is as thin as possible, because the thinner the base substrate, the greater the light collection efficiency of a photosensitive receptor coupled with the LED display. One of ordinary skill in the art would readily recognize that combining Tang with Cloots, as proposed in the Office Action, to make a thicker substrate would be directly contrary to the teachings of Tang. .

Cloots also teaches away from combining the two references as proposed in the Office Action. Cloots states that the object of its invention was to provide a substrate "characterized by the known advantages of glass" but is also characterized by "sufficient flexibility which does not break easily." *See* paragraphs [0007–0008]. Cloots states that it is a "particular object of the present invention to provide a material" having the aforementioned properties "which can be manufactured by using a continuous web or roll coating or printing method for applying said electroconductive layer on said substrate." *See* paragraphs [0007–0008]. Cloots also states, "[i]t is well-known that the productivity and cost efficiency of a continuous (web) coating process is significantly higher than [that] of a batch (sheet) process." *See* paragraph [0002], lines 21 to 22. Tang, by contrast, discloses a batch process for forming electroconductive layers on an ultra thin glass substrate. In view of the manner that Cloots criticizes and disparages batch processes for forming electroconductive layers on a

glass/support substrate laminate, one of ordinary skill in the art would not expect that the laminate of Cloots would be useful in the process of Tang.

In view of the fact that Tang teaches away from a combination with Cloots and Cloots teaches away from a combination of Tang, one of ordinary skill in the art would not have been motivated to combine Tang and Cloots as suggested by the Office Action. It is only by viewing the present specification that one would be motivated to combine the laminate of Cloots and the method of Tang. It is impermissible hindsight to rely on the disclosure of an application for motivation to combine the references cited against that application in a prior art rejection. *See, e.g.,* MPEP §2143 ("The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure") (citing *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991)).

Claim 1 would not have been rendered obvious by Tang and Cloots. Claims 2–5 and claim 18 depend from claim 1 and, thus, also would not have been rendered obvious by Tang and Cloots. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1–5, and claim 18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Jeffrey R. Bousquet
Registration No. 57,771

JAO:JRB/jrb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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